pp. F. IX-4

Previous References 1927-28 (Case) **File No.** 46-27

Serial Nos. 1-5

Later References P

Preserved

General and Revenue Secretariat.

Serial Nos.

Part B for May 1928

SUBJECT

Notice on behalf of the Govt of Mayagodamkilly
re Dalore Tank

M. Bd Rivers Irrigation Agency —
Pleader Humbug

Informs that the Ch. Engineer & Secy. to Govt.
has been requested to take necessary action
in the matter of the proper distribution
of the Periyar Tank water

Ch. Agency
15/1/29
C

4494

G. R. S. APP F.III—1] 192 .

GENERAL AND REVENUE SECRETARIAT.

Revn 27-28

NOTES.

Revn File No. 46

FILE HEADING.

Notice on behalf of the Ryots of Mayagadavelly Yedatore Taluk - that a new channel opened in 1920 drains their whole supply and is

FROM A. V. Veeraswamy Iyer B.A.B.L.
Lawyer Hunsur,

No. nil Dated 12-3-28 Received 15/3/28

Diary No.	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER.

States that a new channel opened in 1920 drains off their water supply of Bookenkere tank which is detrimental to their lands and that petition to Chief Engineer proved of no avail and that a suit will be filed in civil court unless the matter is settled soon

NOTES AND ORDERS.

Sent for perusal. A report may perhaps be called from the Chief Engineer on the facts -
draft sent for approval
Revn) 17/3
Melly
17.3.28.
17/3
APD 19.3

NOTES—First Sheet.

5868

App. F. III—2]

General and Revenue Secretariat. File No. of 192

Serial No.	
2	To The Chief Engineer no P 5452 d 20.3.28. Requests to forward a report
3	From the Chief Engineer no 5361 d 16 April 1928. Forwards a report with a note answering the points raised in the notice. Sent for perusal. Notice is at Flag M and the note of the Chief Engineer answering the points raised at Flag N. Flag V and G. explain the past history of the dispute. Under the circumstances, the suggestion of the Chief Engineer 'K.R.S' at para 8 of his note, may perhaps be approved. Kind attention is invited to Flag H. From all the reports it would appear that the dispute owes its existence to some unfair distribution of water. The Chief Engineer K.R.S. suggests that an equitable distribution should be made of the tail water and ~~to~~ the Cultivation under both the Main channels should be recognised. If approved, he may be requested to pass necessary orders and a reply sent to the advocate in terms of the Report and Note.
	Flag M. N. V.

NOTE—Contn. sheet.

Mdeck
17/4/28.

Early orders may be passed regarding the fair distribution of water as suggested by Ch. Eng. K.R.S. & a reply be sent to the notice dated 20/3/28

Level
28/4

WD 0324—GPB—60,000—24-5-27

General and Revenue Secretariat.

File No. 46 of 1927.

Serial No.

Drafts of letters to Ch Sey & Kl. S & the Counsel on behalf of the ryots of marapoodanahalli herewith submitted for approval

DMC 1.5.28 4/5

Secy) 4/5

app BR 4.5.

4/5

1.1

Govt: 20 to be brought up against case number

2/5

Govt 3/5

Govt.

DMC 7.5.28

B DMC 7.1.29

NOTE—Contn. sheet

WD 0824—GPB—60,000—24-5-27

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Section Law

File No. 46.27

Serial No. 2

No. 5452

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

To The Chief Engineer
Mysore

Date of issue 20/8/27

Signed by M Rs

Sir,

I have the honour to enclose herewith notice in original received from Mr. B.V. Krishnamurthy Agent, Peasants Union on behalf of the Ryots of Nayagondanhalli, Jedalur Taluk, stating that ~~the~~ their channel opened from the Kattepur channel is causing loss to them and ~~delaying~~ that if the matter is not settled soon, a suit will be filed in the civil Court and to request you to be so good as to forward an early report with facts of the case within a fortnight.

I have e (

over

lands by drawing water supply direct to Boodenkere tank.

List of enclosures.....

Copied by .....

Examined by .....

WD0325—GPB—80,000—26-5-27

Asst Engr

Asst Engr 17/8

Immediate 5065

No. K.S.S. 5351
Misc. No. 7

OFFICE OF THE CHIEF ENGINEER, AND SECRETARY, KRISHNARAJASAGARA & ELECTRIC DEPARTMENTS.

Camp Mysore,

Dated Bangalore, 16th April *192*8.

16th

FROM

K. R. SESHACHAR, ESQ., B.A., B.E., C.E.,
Chief Engineer,
Krishnarajasagara Works,
Bangalore.

To

B. Nagappa, Esq., Bar-at-Law.,

Secretary to Government,

Law Department, Bangalore.

8-
16/4
N
Law 19/4

Sir,

With reference to your letter No.P.5432 dated the 20th March 1928 forwarding a notice received from Mr. B.A. Krishnaswami Iyengar, Lawyer, on behalf of the ryots of Mayagondanahalli, Yedatore Taluk, I have the honour to forward herewith a note on the point of contention between the ryots of Mayagondanahalli and Hosur, for orders of Government.

2. It will be seen from the above that what is required is the distribution of the surplus tail end water of the Kattepur Channel equitably between the two Inam Villages of Mayagondanahalli and Hosur ~~villages~~ in proportion to the existing wet cultivation therein.

3. The Superintending & Ex. Engineers' reports are herewith forwarded ~~enclosures herewith returned~~ for reference and ~~returned~~. The Lawyer's Notice is also returned.

I have the honour to be,

Sir,

Your most obedient servant,

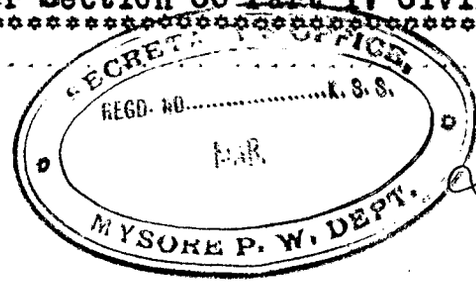
K R Seshachar

Chief Engineer,
Krishnarajasagara Works.

4494
P 27

Notice under Section 80 Part IV Civil Procedure Code.

Notice No. 85 27.28. Registered Post- Protector (Rev) 14.3.28



Lee 46 27

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

Sir,

1. The undersigned under instructions from the Ryots of Mayagowdanahalli, Heleyur in Yedatore Taluk, named below begs to bring the following few lines into your kind consideration and favourable orders.

2. The Kattepur channel from Krishnaraja anecut ends in 2/36 from this end and at the same contour the channel is extended at the cost of our Inamdars to irrigate our lands (a portion of which belongs to Government i.e. Hadya Hantha.) This extension runs about 1¼ miles crossing Bookenkere valley. Far below in the same valley a tank called " BOOKENKERE" is situated from which a channel called " Bookenkere extension" is excavated by Hosur Inamdars at a pretty lower contour to fill up Hosur Tank once in the beginning and once in the end of Irrigation season every year. Originally there was no direct irrigation from this " Bookenkere extension", the Hosur Inamdars and Ryots continued to take our channel wastage through out the year in the same channel and began to irrigate bit by bit the lands lying near this channel although they were not entitled. In this way they brought under wet nearly 120 acres in a course of 30 to 40 years at their own risk.

3. The several references enclosed with the petitions to the Chief Engineer show that the source of supply to Hosur Inam channel is only from " Bookenkere Tank"

which collects all wastage water of greater portion of 35th mile and full length of our channel. They have no claim what so ever for a direct supply from Kattepur channel.

4. When the avaricious Hosur Inamdars and Ryots began to extend irrigiation every year they felt insufficiency of supply and were trying to take some additional supply from Kattepur channel. For a long time the authorities did not allow them to take any supply from the channel (vide enclosure No: 1) since any direct supply would deprive our lands of proper supply. Then they began to take water stealthily by unauthenticated cuts in the channel bund which were closed by the channel authorities then and there (vide enclosure No: 2) sent with the said petition. At this great struggle the channel authorities as a compromise constructed an escapeweir so that any extra supply may directly get into the Bookenkere Tank which did not interfere with our interest (vide enclosure No: 3 to the same). Enclosure No: 4 to the same petition shows that the one temporary sluice that had been opened by the Revenue Authorities had been ordered to be closed by the then channel authority.

5. In the meanwhile when one of the Inamdars of Hosur Mr. R.A.Sreenivasa Iyengar, Superintending Engineer, came to the charge of this channel a new tunnel in the same escapeweir at 19/35 was opened in 1920. The cill level of this ~~nnnn~~ sluice tunnel being below the bed level of our channel draws off the whole supply, directly to Bookenkere Tank the consequence of which is fully detrimental to our lands.

6. Authorities to open this new tunnel as quoted by the Superintending Engineer in his No: M.1330 & dated 18-6-20 are (a) that there was a temporary one (b) to prevent wastage, (c) at the request and approval of the Deputy Commissioner.

To our best knowledge there was no temporary one at all opened by the authorities. But as we have already said above sometimes, unauthenticates cuts were made by the Inamdars and Ryots of Hosur which were checked and closed by the authorities then and there (vide enclosures 2, 3 and 4) mentioned above. It may kindly be considered how far it is reasonable to state that it was opened to prevent wastage while all the wastage even from ½ mile above the new tunnel site falls into the Bookenkere Tank and if there be any extra supply in the channel it goes away directly into the Bookenkere Tank over the escapeweir as already explained above. It is also understood from the Revenue Authorities who inspected the site that they are satisfied that his new tunnel is simply detrimental to the lands of our clients and that unless this tunnel is closed proper supply cannot be given to the cliants' lands. It is also learnt that a reference to this effect has been made to the Chief Engineer from the office of the Deputy Commissioner, vide order enclosed.

7. Eversince this tunnel was opened we have submitted several petitions to the Chief Engineer of Mysore on (1) 25-9-1920. (2) 30-7-1920, (3) 31-5-1921, (4) 28-7-1921, (5) 10-9-1921, (6) 28-11-1921, (7) 22-5-22 and (8) 8-9-1922. Yet the question is not settled. Hitherto this new tunnel had been kept closed and we were getting supply.

8. In spite of several petitions to the above effect to the authorities concerned to set right the grievances caused above to my clients' the Ryots of Mayagowdanahalli, nothing has been done until now.

9. It is now much apprehended that by the use of the new channel by Hosur Ryots in which case the lands of

6

of my clients, though better deserved and guaranteed are sure to suffer for want of water.

10. So I request you will be kind enoguh to consider the question and cause the matter to be settled as early as possible for which act of kindness the Ryots will ever remain grateful. If speedy arrangements are not made before the cultivation season begins the Ryots have to suffer immense loss and they have to expect the Government to relieve them from the loss and that on default they will have to take action in the Civil Court for recovery of the loss they may have to sustain.

I beg to remain,

Sir,

Your most obedient & humble Servant,

Hunsur
Dt. 12th March, 28

1. Chikke Gowda son of Kale Gowda.
2. Srikanta Aradhya.
3. Konky Gowda.
4. Kari Setty.
5. Putte Gowda.
6. Patel Puttegowda.
7. Raghupathi Rao.
8. Thammanna Gowda.
9. Kale gowda.

From

ಬಿ. ಪಿ. ವೈದ್ಯನಾಥಯ್ಯಂಗಾರ್, ಬಿ. ಎ., ಎಲ್ ಎಲ್. ಬಿ.,
ಮೈಸೂರ್, ಇಂ ಸೂ ಬು.

Letter no: D 2 Dis 1662 / Rev 20-21 dated 23-6-21
from the Deputy Commr Mysore District to the
Chief Engineer of Mysore, Bangalore
with reference to your no: Ir 10603 dated
18th June 1921 and previous papers re: the
protest of Kalayur, Nagavvadanahalli and
other villages against the construction of a new
sluice at 35.15 mile of Kattepur channel.
I have the honor to state that the Amildar
and the Subdivision officer who both
inspected the spot and made local en-
-quiries, are of opinion that the proposed
sluice will cut off the water supply to the
lands of the Nagavvadanahalli Hadya
Hantina and Diddahalli villages that
the rights of Nagavvadanahalli
who have a prior right, while the people
of Kasur will secure a preferential
right over them and get an additional
water supply to their lands and that in
fact there is no trace of any old channel
at grade 2/36. The Subdivision Officer
asserts that there is not the slightest
doubt that the proposed construction
will affect the Nagavvadanahalli
lands.

I do not therefore approve of the new

Bridge and have asked the Executive Engineer, Channel division to stop the work. The connected papers have also been sent to him for reference.

No: M·67 dated Bangalore 4th July 1921

Copy of the above is forwarded to the Superintending Engineer Western Circle for report, with reference to letter, noted in margin with his letter No: 611 dated 23-6-21

(Sd) R.V. Sundaramier
Deputy chief engineer
of Mysore
Camp - Bankapur.

True copy
Dale

NOTE ON THE SUPPLY OF WATER TO THE LANDS AT THE TAIL END OF KATTEPUR CHANNEL.

--:o9o:--

The Kattepur channel in the Mysore and Hassan Districts terminates at 19/35 mile with a relieving weir. By virtue of a "Niroop" or "Sannad" dated 28th February 1829 of H. H. Sri Krishnaraja Wodayar, said to have been held by the Inamdars -- owning lands under the Hosur Tank, they are entitled to a free supply of water from the Kattepur Channel. The Inamdars therefore excavated at their own cost, a small channel taking off -- from the flank of Bookankatte tank which picks up the tail end water of the Kattepur channel through a breach at its end and -- enjoyed the benefit of free supply of water to their tank.

2) With the completion in 1881 of the improvements to the Government channel, the Inamdars of Doddahalli and Hosur found a larger volume of water surplussing into Bookankatte than was --- necessary for irrigating the atchkat at that time and they naturally took advantage of the waste water and began direct ~~d~~ irrigation on a large scale under their self excavated channel ---- which was not objected to at that time either by the Revenue or the Public Works Department.

3) In the year 1882-83 through the connivance of Suboverseer Kapinaiya, the Mayagowdanahalli ryots began with five acres of -- cultivation (although objected to and supply refused) by closing the breach, - through which the tail end water of Kattepur channel was flowing to Bookankatte from which Hosur tank and lands were fed, - and gradually increased the extent of wet cultivation. Government after observing the unauthorised wet cultivation of --- lands made by the Mayagowdanahalli Inamdars, ordered in 1883-84 that if surplus water of Kattepur channel is capable of cultivating lands of Mayagowdanahalli, Diddahalli and Hosur villages, ---- arrangements should be made <u>at once</u> to give the lands a regular supply and further directed that the Inamdars who wished to irrigate their inam lands by means of water from the Government ----

Channel should be permitted to use the water on condition of paying the prescribed water rate of Rupee 1-4 per acre.

4) It may be seen from the above that the Hosur Inamdars have a right to the filling of their village tank from the Kattepur Channel by virtue of the Sannad of 1829 held by them and that they began cultivating their lands with the supply available from the tail end of Kattepur channel prior to the Inamdars of Mayagowdanahalli and that the Inamdars of Mayagowdanahalli began cultivating their lands subsequently.

5) As regards the Sluice Tunnel constructed in pukka masonry at 19/35 of the Kattepur channel, it may be gathered from the records that there was a temporary sluice even prior to 1904 at 2/36 of the channel for supplying water to the lands of Diddahalli and Hosur villages. In the year 1917, the then Deputy Commissioner, Mysore District, (Mr. K. Mathan) after ascertaining the facts, countersigned an estimate for building a pukka sluice and ordered the completion of the work at an early date.

6) The then Superintending Engineer found during inspection, the original site at 2/36 unsuited for the purpose owing to deep scours caused by water action and rapid fall, and ordered the construction of the sluice referred to a little higher up (i.e., 3 grades above) at 19/35 and the work was accordingly carried out long ago.

7) The channel taken by the Inamdars of Mayagowdanahalli at their cost and without professional aid from the Kattepur channel terminus at 19/35 is ungraded and practically the bed of their channel has a reverse slope on account of which water from the channel at lower stages flows back through the sluice at 19/35 if kept open. The remedy lies in properly grading the channel.

8) As the cultivation is in existance for over 40 years under the Inam Channels Viz., Hosur and Mayagowdanahalli, it seems better to recognise the existing cultivation under both the Inam Channels.

10

Channels. The points or objections raised in the Notice issued by Mr. B.A. Krishnaswami Iyengar, Lawyer have been meted out in the abcve note and the case has been fully -- dealt with by the late Superintending Engineer, Krishnaraja Sagara Circle, and the Executive Engineers of Hassan and Upper Channels Divisions which are flagged.

Chief Engineer,
Krishnarajasagara Works.

ARC.11-4.

Letter No.134 dated the 20th February 1925, from the Executive Engineer, Upper Channels Division, to the Special Land Acquisition Officer, Krishnarajasagara.

Subject:- Construction of sluice at 19/35 miles of Kattepur Channel protested against by the ryots of ----- Mayagowdananhally.

Reference:- Correspondence ending with the Special Officer's No.2285 dated 9th February 1925 to your address.

I have the honour to forward herewith for your perusal and early opinion, the Revenue Survey Tracing showing the cultivated extent --- under Hosur and Mayagowdanahally Inam Channels together with a ----- statement showing the irrigated area under each channel in different sections.

Brief review. To begin with, the Hosur Inamdars were allowed to feed their tank twice a year at the commencement and at the close of the irrigation season through a breach at the tail end of the Kattepur Channel. For this purpose Inamdars excavated a small feeder channel from Bookankere to Hosur tank as the former picks up waste water of Kattepur Channel.

During 1881 improvements to the Government Channel were completed. Inamdars of Diddahalli and Hosur found a large volume of water surplusing into Bookankere than was necessary for irrigating the achakat under Hosur Tank and began direct cultivation under their Inam Channel.

Early in the year 1882, the ryots of Mayagowdanahally made a small extension of Kattepur Channel and put in their claims for the use of the channel water on the plea that their village was next to the channel terminus. This necessitated closing of the breach at the tail end which is the origin of the dispute between the two parties. The then Executive Engineer Mr. George Bayley upheld the claims of Mayagowdanahally ryots to the use of the channel water, because they agreed to pay water rate at Rs.4/- per acre, while the Inamdars of

of Diddahally and Hosur were paying only 0-8-0 a candy.

Government in their Proceedings No.3628-9/195 Camp Mysore, dated 15-9-1894, permitted supply of water to all Inamdars agreeing to pay the prescribed water rate of Rs.4/- per acre pending receipt of --- report from the Executive Engineer, regarding the extent to which wate could be supplied.

As per report of Mr. George Bayley, Executive Engineer, the acreage under wet cultivation in each of the village in 1884 was noted below.

	Mayagowdanahally	14½ Acres.
	Diddahally	98½ "
Hosur	1. Direct from Channel	56½ Acres.
	2. Under Tank.	88½ Acres.

Mr. Baily remarks that good portion of this should be under channel alone, as the capacity of the tank is insufficient to irrigate such a large extent.

The ryots of Mayagowdanahally went on extending their channel and cultivation under it. In 1886 a ryot of Diddahally took off a high level branch of this channel to irrigate some land which also increased in length subsequently.

It is seen that a temporary sluice was given at 2/36 prior to 1907 for feeding Bookankere when necessary.

During 1905-1906. one Mr. S. Ramaswamy Iyengar Advocate and reliever of Haliyur and Hosur Inams, petitioned to the Executive Engineer, Channels Division to make the temporary sluice into a permanent one at the cost of Hosur Inamdars. An estimate for Rs-93/- was first prepared for ----- constructing a vent of 1' x 1' by the P.W.D. Sub Division Officer proposing that the sluices to be acted only at certain period of the season.

The Executive Engineer, in forwarding the estimate in his No.340 dated 6-8-1908, to the Deputy Commissioner for countersignature suggested that the consent of Mayagowdanahally Inamdars may be taken.

The Deputy Commissioner in returning the estimate countersigned

does not mention anything about the consent of Mayagowdanahally --- Inamdars.

The Public Works Department Sub-Division Officer thereon reported to the Executive Engineer that the sluice can be constructed only --- after taking the consent of both the Inamdars: Hosur Inamdars for extra cost as the rates in the estimate were found to be unworkable and Mayagowdanahally Inamdars to avoid further trouble.

Hosur Inamdars went on urging the construction of sluice, while Mayagowdanahally Inamdars refrained from giving their consent. The Deputy Commissioner at this stage in his No.R.O.C.2437-3/8-10-1918., to the Executive Engineer, requested him to inspect the channel and to let him know the state of affairs. The Executive Engineer replied in his No.239 dated 1-4-1920 that the work was put in hand and the cost of Rs.210/- might be recovered from Hosur Inamdars. Copy of the letter was sent to the Superintending Engineer, which was duly approved by him.

On the protest of Mayagowdanahally Inamdars, the Revenue Sub-Division Officer inspected the site and reported that the construction of the sluice at the present site i.e., in 19/35 is prejudicial to Mayagowdanahally Inamdras. Thereon the Deputy Commissioner asked the Executive Engineer to stop further construction.

The Executive Engineer replied that the site is better suited for sluice construction and selected by the Superintending Engineer. ----- (supporting the same to the Chief Engineer.

The Deputy Commissioner wanted thereon to restore the old order i.e., to close the sluice until Hosur Inamdars prove their claim.

POINTS TO BE CONSIDERED.- The Government portion of the Kattepur channel ends at 19/35 where there is a Relieving Weir with the ---- contested sluice of 1' x 1' in question. Beyond this, the channel belongs to Mayagowdanahally Inamdars and the channel is ungraded. Practically the bed has a reverse slope on account of which water from this channel at lower stages flows back through the sluice at 19/35 if

kept open. If this Inam Channel is properly graded the condition of Mayagowdanahally Inamdars may improve. This may throw out of cultivation few high level lands probably 10 acres.

2. The area commanded by Hosur Inam Channel up to Hosur boundary gets regular supply owing to the advantage of the waste water from the fields on both sides of the halla.

3. Both the Inam Channels have no controlling arrangements for the proper distribution of supply and this partly accounts to the ----- difficulty of water at the tail end of Hosur Inam which is about two miles in length.

4. Greater portion of achkat originally commanded by Hosur Tank is now brought under Chamaraja Right Bank Channel cultivation.

5. Generally supply in the channel will be sufficient except in the latter part of October and November.

As the cultivation is in existence for over 40 years under these Inam Channels, it will be better to recognise the existing cultivation under both the channels and this distribute the available supply ----- equitably.

As per statement annexed herewith, the irrigated area under Hosur Inam Channel is 240 acres and under Mayagowdanahally Channel is 120 acres approximately. Taking at 30 duty the total supply required is 12 cusecs. The sluice at 19/35 at F.S.L. will discharge $5 \times 1\sqrt{1\frac{1}{2}} = 6$ cusecs with this supply it is seen from experience that there will be no complaint from Hosur ryots i.e., this sluice can work at 40 duty with the supply ----- supplemented from the waste water of the wet lands above.

To distribute the supply at low stages the following proposals are recommended for consideration.

(a) Constructing a grade wall just behind the sluice above 19/35 to --- define the bed level. (b) Divide the area of C.S. with ratio of 7:5 and construct a dividing wall along the channel up to sluice below the one at 19/35.

The achkat of Hosur is 240 acres and is worked out at a duty of 40 as mentioned above. Taking the duty at 35 to be on the safe side the quantity required is 240/35 = 7 cusecs. The remaining 5 cusecs which is in excess by 1 cusec for the Mayagowdanahally achkat may be let off in the main Inam Channel as it has not the advantage of the waste water from the fields like the Hosur lands. Hence the ratio 7 to 5 C. This length of channel may be pitched with rough stone so that its level may not be interfered with. In this case the channel has got to be graded at least for this length.

" Copy "

A.N.9th.

Letter No.313 dated the 12th May 1922, from the Superintending Engineer, Krishnarajasagara Circle, Mysore, to the Chief Engineer of Mysore, Bangalore.

Dispute between Mayagowdanahalli and Hosur Villagers at the tail end of Kattepur Channel.

With reference to your No.M.67 dated 4th July 1921, forwarding copy of letter No.D2.Dis.1662/Rev.20-21 dated 23rd June 1921, from the Deputy Commissioner, Mysore District, stating that he does not approve of the sluice, I have the honour to forward herewith a copy of an --- exhaustive report prepared by the Executive Engineer, Hassan Division, from the records available in his office, from which, you will observe that all the facts connected with the case have not been placed before the Deputy Commissioner and that his decision seems to have been based on the one sided report of the Revenue Sub Division Officer and the --- Amildar. The records sent by the Deputy Commissioner, to the Executive Engineer, Upper Channels Division, show that the Amildar inspected the Locality with the ryots of Mayagowdanahally etc., and that the ryots of Hosur who, were also interested were not present at the time of his --- inspection. This is why I call the report one sided.

2. I have carefully gone through the records that were received from the Hassan Division and find that the following are the facts connected with the case.-

(1) The Inamdars of Hosur have a right to the filling of their village tank from the Kattepur Channel in virtue of a sannad issued by His late Highness Sri Krishnaraja Wodayar Bahadur, on 28th February 1829.

(2) They began cultivating other lands with the water supply available from the tail end of the Kattepur Channel prior to the ryots of ----- Mayagowdanahalli, about 1880 or 1881.

(3) That the ryots of Mayagowdanahalli attempted wet cultivation in 1882 and that the water supply was refused by the Executive Engineer and the Amildar of Arakalgud.

(4) That through the connivance of Suboverseer Kapanayya, the -- Mayagowdanahalli ryots cultivated about 5 acres of land by closing the breach through which the tail water of Kattepur Channel found its way to Bookankatte from which, Hosur tank and lands were fed (Vide G.O.No. 3038-9/126 dated 29-8-1883).

(5) The Deputy Commissioner ordered the Amildar to keep the breach leading water to Bookankatte open, (vide his No.539 dated 15-8-1882) and when one of the Inamdars of Mayagowdanahalli put up a cross bund and obstructed this supply, he was prosecuted by the Public Works Department, and punished by the Arakalgud Amildar (Vide his No.956 dated 29-11-1882). These two reports show that in 1882, the lands of Hosur were considered to have a preferential right of water from the Kattepur Channel over those of Mayagowdanahalli.

(6) The Government in their Proceedings No.3628/9/195 dated 15-9-1884 permitted the supply of water to all the Inamdars on their agreeing to pay a water rate of Rs.4/- per acre.

(7) That so far back as 1887, the extent of cultivation in these --- villages was

Mayagowdanahalli	14¾ acres.
Under Bookankatte.-	
Diddahalli	98 1/2
Hosur Tank	88 ¾
Direct from Channel	56½
Total ...	243¾ acres

The extent under the latter, which, as stated under (5) has a preferential claim is more than 15 times the former.

(8) There was a temporary sluice prior to 1907 at 2/36 for supplying water to these lands (Diddahalli and Hosur) and the Executive Engineer of the Channels Division, ordered the Channel Suboverseer to fix a pipe of 12" diameter at the site of the old temporary sluice. This sluice bears No.131 in the authorised sluice statement.

(9) Mr. Aiyaswami Iyer, Executive Engineer, wrote in his No.340 dated

dated 4-8-08 to the Deputy Commissioner,Mysore District, recommending the construction of a pukka masonry sluice in place of this temporary one (vide his No.340 dated 4/6-8-1908 copy enclosed).

(10) The existence of this temporary sluice is recognised in ---- Channels Division Executive Engineer's No.250 dated 31-7-07 copy enclosed).

(11) After an enquiry extending over 9 years, the Deputy Commissioner of Mysore, found that the sluice was necessary and ordered it ----- construction in his No.2437 dated 26-10-1917 (copy enclosed).

(12) Somehow, these orders were not given effect to and the Inamdars of Hosur urged on its construction, vide, their petitions (1) dated 1-3-1918 (to the Deputy Commissioner, Mysore) (2) dated 22-2-1919 (to the Executive Engineer, Hassan Division, (3) dated 25-2-1920 (to the Executive Engineer, Hassan and (4) dated 15-3-1920, (to the Superintending Engineer, Western Circle.)

3. When the last mentioned petition was forwarded to the Executive Engineer, Hassan Division, he had his office records searched and finding the orders of the Deputy Commissioner referred to in para 2 (11) ordered its construction. From the facts stated above, it can be --- clearly seen that the question of the construction of the sluice was settled so far back as 1917, and that there was a temporary sluice in the channel bank which was an authorised one and which, was to have been replaced by the permanent one and that if was constructed at the request of the Deputy Commissioner of Mysore.

4. It is not known how the Deputy Commissioner stated in his letter No.D2.Dis.1662/Rev.20-21, that the ryots of Inam Mayagowdanahalli had a prior right to water and would be deprived of such a right to water and would be deprived of such a right if this sluice was built. I --- think that all the records connected with the case were not before him when making such a recommendation for if they were, he could not but have known the fact that the ryots of Hosur had the priority of right to water over the Mayagowdanahalli ryots and when the latter interfered

with it, they were once punished that there was temporary pipe which was to have been replaced by this permanent one and that his predecessor in office had ordered its construction in October 1917. His opinion seems to have been based on the one sided and imperfect report of the Amildar and the Revenue Sub Division Officer, who do not seem to have had access to all the records and who did not try to call for them from the Executive Engineer, Hassan Division. The sluice has already been constructed and there seems to be no reason whatever to have it closed or dismantled.

5. As requested in para 2 of your No.M.4511 dated 15-12-1921, I enclose herein a copy of the Deputy Commissioner's No.2437 dated 26.-10-1917 to the Executive Engineer, Mysore, requisitioning the construction of the sluice.

6. The petitions received with your Nos.4511 dated 15-12-1921 and M.1026 dated 3-8-1921 are herewith returned. I wish to draw your --- particular attention to the allegation made in para 4 of the petition dated 28-11-1921, which is false and which, has been made at the ---- instigation of Mr. A. Ramanna, with a view to lend colour to their --- complaint. It is true that I own a greater part of the Inam Village of Hosur having purchased it from time to time before I entered the Mysore Service. The allegation would imply that an entirely new and unauthorised sluice was ordered to be constructed by me taking advantage of my official position. Nothing more is wanted to disabuse any one of this idea than a perusal of the records of the case which, go to prove that the construction of the sluice was proposed by Mr.V. Aiyaswami Iyer in 1907 and ordered by Mr. Mathan in 1917, long before there was any idea of my entering the Mysore service.

"Copy"

A.N.9th.

Proceedings of the Dewan of Mysore. 16

Read.-

Letter from the Deputy Commissioner of the Mysore District, No. 56 of the 18th April 1883 and letter from the Secretary, Public Works Department, No.3233 of the 5th November 1883, regarding the complaint of the ryots of Sarvamanyam Mayagowdanahalli, Yedatore Taluk, about the supply of water to their lands at the tail end of the Kattepur channel.

Order thereon No.3628-29/195 dated Mysore Camp 15-9-1884.

The further report promised by the Executive Engineer is awaited. In the meantime, the Inamdars who wish to irrigate their Inam land by means of water from the Government Channel should be permitted to use the water on condition of paying the prescribed water rate of four Rupees per acre.

(SD) R. Vijayindra Rao,
Secretary.

" Copy."

Proceedings of the Dewan of Mysore.

Read.-

Docket No. 56 of the 18th April 1883 from the Deputy Commissioner, Mysore District, forwarding precis of correspondence connected with the complaint of Kesavaraya and other ryots of Sarvamanya Mayagowdanahlli village, Yedatore Taluk.

Order thereon No. 3038-39/126 dated Bangalore 29th August 1883.

The correspondence read above, clearly shows that Kavaniah the Channel Suboverseer permitted the ryots of Mayagowdanahalli to take water to their Inam lands when he had no authority to grant such permissions and when indeed, he knew the ryots had been prohibited from taking the water. The Dewan wishes to know what notice has been taken of the conduct of this official, the fact of whose holding land in the neighbourhood would lead to the presumption that his motive was interested.

2. The important point for consideration and decision is whether the lands of Mayagowdanahalli, Diddahalli and Hosur are capable of cultivation from the Surplus water of Kattepur channel, if so arrangements should be made at once to give the land a regular supply and bring them under wet assessment. An early report on the point is awaited.

(SD) C. Sreenivasaiengar,
Under Secretary.

"Copy."

A. P. F. VI. G[illegible]

2 [illegible] 18

SUBJECT.....

.....

.....

Section Irrn

File No. 46-27

Serial No. 4

No. f 6805

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

To B. A. Krishnaswami Ayyar Esq
Pleader, Mysore.

Date of issue 7/5/28

Signed by M N S

Sir,

With reference to your notice of the 12th March 1928 under Sec 80 C.P.C. on behalf of the Ryots of Mayagondanahalli, I am directed to inform you that the Chief Engineer, Krishnarja Sagara Works, has been requested to take necessary action in the matter of the proper distribution of the Surplus tail end water of the Nakepur Channel between the two main villages of Mayagondanahalli.

List of enclosures.....

Copied by .....

Examined by .....

over

with the reason.
---and whether ~~in opposition~~ to the
existing wet cultivation ~~therein~~ in these villages.

I have etc

Sd/
Secy to Govt
Law Deptt.

DMP
1.5.28

A, P. F. VI. GI]

19

SUBJECT.....

V.W.S.

.....

.....

Section

File No.

Serial No. 5

No. J 6806 (1)

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To K. R. Seshachar Esq B A B E C E
Chief Engineer
Krishnaraja Sagara Works
Bangalore.

Date of issue..... 7/5/28

Signed by..... M' N.S

Sir,

With reference to your letter No: K.S.S. 5351 dated 16th April 1928 forwarding a note on the point of contention between the ryots of Nagagondanahalli and Hosur, I have the honour to ~~request~~ suggest that ~~you be pass~~ necessary orders may be passed at an early date regarding the fair distribution of ~~water~~ the surplus tail end between the two villages water of the Kattepur Channel

List of enclosures.....

Copied by .....

Examined by .....

over

WD0325—GPB—30,000—26-5-27

~~xxxxxxxxxx~~ in para 2 of

Your letter under reply. A copy of the reply sent to the notice received from the Counsel for the ryots of Mayagondanahalli is enclosed for your information

The Counsel on behalf of the ryots of Mayagondanahalli has been accordingly informed.

Thanks

S.I
Secy to Govt
Law dept
MM
1.5.38

1/5